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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

418268827US

Application Number

09/883,751-Conf.
#1738

Filed

June 18, 2001

First Named Inventor

Christopher D. Hancock

Art Unit

2178

Examiner

J. D. Campbell

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐

applicant /inventor.

☐

assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b)
is enclosed. (Form PTO/SB/96)

☒

attorney or agent of record.

Registration number 33,273

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attorney or agent acting under 37 CFR 1.34.

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May 1, 2006

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒

*Total of 1 forms are submitted.



Express Mail No. EV813996232US
Docket No.: 418268827US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Christopher D. Hancock

Application No.: 09/883,751

Confirmation No.: 1738

Filed: June 18, 2001

Art Unit: 2178

For: SYSTEM AND METHOD FOR MANAGING
WEB PAGE MEDIA

Examiner: J. D. Campbell

Arguments for Pre-Appeal Brief Request for Review

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant is filing a Notice of Appeal and Pre-Approval Brief Request for Review.

A. Overview of the Invention and Prior Art

1. The Invention

A problem with prior techniques for web page design is that it is difficult for writers and artists of web pages to effectively coordinate the locating or creating of media (e.g., art, graphics, sound, and video) that is needed for each web page. A writer writes the text for a web page and writes specifications ("specs") that describe and identify what media is needed at what locations within a web page. An artist at a later time can review the specifications, locate or create the specified media, and insert the media into the web page. Because of the large size of web site development projects, which can include many web pages with numerous pieces of media and numerous specifications, the identification and retrieval of the correct media often becomes confused.

Applicant's invention is directed to a system for managing media that overcomes some of the problems of prior techniques. Applicant's system provides a collection of existing specs for media elements. This collection may be created initially by an administrator or developed over time as writers and artists create or modify web pages. Applicant's system displays the existing specs for media elements so that a writer can locate a desired media element. If the writer can locate a desired media element based on review of the existing specs, then an identifier for that media element is inserted into the web page. If, however, the writer cannot locate the desired media element, the writer can create a new spec that describes the desired media element. The new spec is then stored in association with the web page so that an artist can subsequently retrieve and use the spec to create the desired media element for the web page. After the artist has created the desired media element based on the spec, then an identifier for the created media element is inserted into the web page.

2. The King Reference

King describes a technique for three-way separation of information of a document, such as a web page. In particular, the information is separated into content elements, a design description, and a media specification of a document. (King, 2:52-55 and 5:55-58.)

King defines content element, design description, and media specification as follows: Content elements are the content of a document such as text, images, graphics, and so on. (King, 7:30-35.) A design description describes the overall layout of the document such as a horizontal brochure format, a single or multi-page format, a newsletter, a calendar, or so on. (King, 7:36-49.) A media specification specifies the media to which a composition is to be rendered such as a sequence of screen pages, a web site in HTML, a three-dimensional HTML format ("VRML"), paper pages, and so on. (King, 7:50-64.)

To render a document, King's design engine inputs the content elements, the design description, and the media specification of the document and renders the content to the medium laid out in accordance with the design description. (King, 8:47-50.)

B. Issues

1. Whether King's design description is "a spec describing the desired media element as indicated by the writer."

2. Assuming, *arguendo*, that a design description is a "spec," whether King displays to a writer existing design descriptions for content elements so that the writer can locate a desired content element.

C. Arguments

1. King's Design Description is Not a "Spec"

Applicant's "spec" describes and identifies a media element that is to be included in a web page. Applicant's specification states that a writer "writes a specification ("spec") which describes and identifies what media is needed at that point in the document." (Specification, 2:6-8.) Moreover, all of the claims recite "a spec describing the desired media element."

King's design description, which the Examiner believes corresponds to applicant's spec, describes a format for the overall layout of a web page. King's design description may specify a calendar format, newsletter format, or other format. King renders content laid out in accordance with the design description.

King's design description thus describes a layout of a web page and does not describe or identify a media element (e.g., graphic or video) as does a spec that is to be included in a web page as recited by the claims. In addition, King's design description is not used "to create the desired media element for the web page." Rather, King's design description is input to King's design engine that renders content elements in accordance with the layout of design description.

2. King Does Not Display Existing Design Descriptions so That a Writer Can Locate a Desired Content Element

Applicant's claims recite "displaying to a writer the existing specs so that the writer can locate a desired media element," or similar language. Applicant is puzzled by the Examiner's position that King's existing design descriptions are displayed to writers so that they can locate content elements. Applicant can find nothing in King that describes displaying design descriptions to a writer. Design descriptions are simply used to define the layout of content elements during the rendering process.

Moreover, there is nothing in King to suggest design descriptions can be used to locate content elements. Since a design description describes a format for a layout of a web page, it is not clear how such a format could help someone locate a desired content element. King thus uses design descriptions simply to determine how to lay out the content elements.

D. Conclusion

Since King's design descriptions have a completely different function from applicant's spec (describing a layout, rather than identifying a media element), applicant respectfully submits that the claims are not obvious over King in view of Estrada. Applicant respectfully requests withdrawal of the rejection and early allowance of this application.

Dated: May 1, 2006

Respectfully submitted,

By 
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